

REMARKS

The Office Action mailed March 26, 2008, has been received and reviewed. New claim 54 has been added. Claims 5, 8, 17, 20, 29, 32 and 54 are currently pending in the application. Claims 17, 20 and 29 stand rejected. Claims 5, 8 and 32 are allowed. Applicant has amended claims 17, 20 and 29. Applicant respectfully requests reconsideration of the application as amended herein.

Allowable Subject Matter

The Office Action notes the Notice of Allowance mailed January 30, 2008 has been vacated. Applicant notes this change in status.

Claims 5, 8 and 32 are allowed. Applicant acknowledges this indication with appreciation.

Claim Rejections

35 U.S.C. § 101 Non-Statutory Subject Matter Rejections

Claims 17 and 20 stand rejected under 35 U.S.C. § 101 as being unpatentable because the claims are directed to non-statutory subject matter. Specifically, the Office Action alleges:

[P]aragraph 0032 of the Specification defines signal-bearing media as being paper “punch” cards, analog or digital transmission media, and wireless communications, which are all non-statutory. (Office Action, p. 2).

Applicant has amended claims 17 and 20 to recite, in part, “A processor-readable *storage medium* including processor-executable *instructions stored thereon* for performing the operations comprising” Applicant draws support for Applicant’s amendments from at least paragraphs [0073-0074] of Applicant’s as-filed specification. Therefore, since Applicant’s amended independent claims 17 and 20 recite the statutory subject matter of “A processor-readable storage medium including processor-executable instructions stored thereon”, Applicant’s invention as claimed in amended independent claims 17 and 20 is statutory subject matter. Accordingly, Applicant respectfully requests the rejections of claims 17 and 20 be withdrawn.

35 U.S.C. § 112 Second Paragraph Rejections

Claim 29 recites the limitations “the second number” and “the next wakeup time” in line 14. The Office Action alleges that there is insufficient antecedent basis for this limitation in the claim. The Office Action then states that correction of this matter may be accomplished by including the claim limitations from claim 26 as previously agreed to, in an Examiner’s amendment, on January 9, 2008. Accordingly, Applicant has amended claim 29 as previously agreed and respectfully requests the rejection be withdrawn.

CONCLUSION

Applicant believes the claims to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, the Examiner is respectfully invited to contact Applicant's undersigned attorney.

Respectfully submitted,

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